

**Frederick County Ethics Commission**  
**Minutes for the Public Meeting of Wednesday, September 12, 2018**

Present:       Stephen K. Hess, Chair  
                  Ernest A. Heller, Vice-Chair  
                  M. Shane Canfield, Commission Member  
                  Deidre R. Davidson, Commission Member  
                  Deborah L. Lundahl, Commission Member  
                  Alan Shapiro, Commission Member  
                  Rev. Douglas P. Jones, Alternate Commission Member  
                  Linda B. Thall, Senior Assistant County Attorney

Absent:       Christopher D. Glass, Sr., Commission Member

The Frederick County Ethics Commission meeting started at 7:00 p.m. on September 12, 2018, in the Winchester Room on the 2<sup>nd</sup> floor of Winchester Hall, 12 East Church Street, Frederick, Maryland 21701.

**Discussion and approval of the agenda** – The meeting agenda was sent to the Commission members before the meeting. Mr. Hess asked whether any member had any changes to the agenda. No changes were requested and the agenda was approved.

**Approval of the minutes** – The draft minutes from the August 8, 2018 meeting were emailed to the members before the meeting.

**MOTION:**   Mr. Heller made a motion to approve the minutes. Rev. Jones seconded the motion, which was approved unanimously.

**Discussion of recommendation letter to the County Executive** – Mr. Shapiro drafted a letter to the County Executive to convey the Commission's recommendation for mandatory training of all County officials and employees on the Ethics Law. He emailed the draft letter to the members in advance of the meeting. The members discussed which officials should receive copies of the letter and decided that the Council Members should be copied on the letter as the recommendation has the potential to affect the County's budget. There was a discussion of the extent to which funding issues should be included in the letter. Mr. Heller asked that the letter include a reference to the section of the Ethics Law that calls for the Ethics Commission to conduct a public information program regarding the purposes and application of the Ethics Law. Mr. Heller also noted the importance of informing County employees of the County's expectations of them under the Ethics Law. Rev. Jones suggested wording changes to the recommendation to avoid any implication that County employees are not currently acting in a professional manner or providing quality services as they perform their jobs. Ms. Davidson questioned whether the letter should include a reference to sexual harassment training by the County and the possibility that the ethics training models created could be adapted for that

purpose. Mr. Shapiro stated that it would be better not to include that in the letter as it would take the focus away from the ethics training recommendation. Mr. Canfield recommended deleting language in the letter about the impact that the training could have on the County's liability insurance premiums, as there was an insufficient factual basis to support that assertion.

Mr. Hess outlined the essential components of the Commission's recommendation. First, the letter should state why the recommendation is being made. This would include the fact that there is currently no training being provided on the Ethics Law and give as an example of why training is needed the situation that arose when a County employee accepted a gift that was not allowed under the law. The letter would state the benefit to the County from raising the awareness of the Ethics Law's provisions. The second part of the letter would explain what it is that the Commission is recommending. This would include the recommendation that the training be mandatory and recurring. The third part of the letter would discuss options, noting that a PowerPoint presentation is one option. The fourth part of the letter would be to explain the advantages of ethics training. This could include the potential for using the type of training developed for other types of training by the County and reduction of the County's liability exposure. Mr. Hess stated that the goal of the letter would be to obtain the County Executive's approval for the overall concepts expressed in the letter, primarily the approval of mandatory ongoing training. The possibility of meeting with the County Executive to obtain her thoughts was also discussed. Mr. Hess stated that it is for the County government to decide how the training will be implemented and that the PowerPoint is just one example of how training could take place.

Mr. Shapiro agreed to revise the draft letter to the County Executive based on the Commission's discussion. He will distribute a revised draft of the letter to the Commission members before the October meeting.

**Discussion of training PowerPoint** – Mr. Shapiro will circulate his comments on the PowerPoint and Ms. Davidson agreed to revise the PowerPoint and email it to the other members. With regard to the questions and answers in the PowerPoint, the recommendation was made that at least one of the questions involve an elected official. Ms. Thall was asked to clarify the definition of "relative" in the Ethics Law.

**Annual report** – A draft of the annual report was circulated before the meeting. The members agreed that the reporting period covered in the first report be January 1, 2017 through the present and that the report be filed by October 1. There were no changes to the draft report.

**MOTION:** Mr. Shapiro made a motion to have the report be filed by October 1 and that future reports also be filed by that date in the future. Mr. Heller seconded the motion, which was approved by unanimous consent.

**Distribution of financial disclosure statements** – The annual financial disclosure statements were distributed on flash drives for the members to review for completeness and potential conflicts of interest. The members will discuss any concerns at a future meeting.

**Adjournment**

**MOTION:** Ms. Lundahl made a motion to adjourn the meeting. The motion was seconded by Mr. Heller and approved unanimously.

The Ethics Commission adjourned its meeting at 8:10 p.m.

/s/  
Linda B. Thall, Senior Assistant County Attorney